

Attorney's Docket No.: 08411-027001 / ISURF 02424

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Patrick S. Schnable et al.      Art Unit : 1636  
Serial No. : 09/897,776      Examiner : Unknown  
Filed : June 29, 2001  
Title : NUCLEIC ACID MOLECULES ENCODING MULTIPLE START CODONS  
AND HISTIDINE TAGS

**BOX MISSING PARTS**

Commissioner for Patents  
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

In response to the Notice to File Missing Parts of Application under 37 CFR §1.53(b) mailed August 27, 2001 (copy enclosed), applicant as a large entity submits herewith the following:

1. Petition for One-Month Extension of Time (1 page) and check for \$110 for fee;
2. Notification Under 37 CFR §1.28(b) (1 page);
3. Combined Declaration and Power of Attorney in compliance with 37 CFR §1.63 (4 pages);
4. Formal Drawings (7 pages);
5. Preliminary Amendment (15 pages);
6. Verified Statement Under 37 CFR §1.821(f) (1 page);
7. Computer-Readable copy of Sequence Listing;
8. Paper copy of Sequence Listing (10 pages);
9. Check in the amount of \$1082 for the basic filing fee (\$710), additional claims fees (\$242), and missing parts surcharge (\$130); and
10. Postcard.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

November 21, 2001  
Date of Deposit

Coryl C. Harriman  
Signature

Coryl C. Harriman  
Typed or Printed Name of Person Signing Certificate

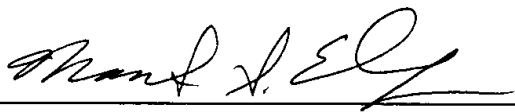
Applicant : Patrick S. Schnable et al.  
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Page : 2

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It is understood that this perfects the application and no additional papers or filing fees are required. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: November 21, 2001

  
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Mark S. Ellinger, Ph.D.  
Reg. No. 34,812

Fish & Richardson P.C., P.A.  
60 South Sixth Street  
Suite 3300  
Minneapolis, MN 55402  
Telephone: (612) 335-5070  
Facsimile: (612) 288-9696

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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/897,776	06/29/2001	Patrick S. Schnable	08411-027001

CONFIRMATION NO. 1907

## FORMALITIES LETTER

\*OC000000006473083\*

MARK S. ELLINGER, PH.D.  
Fish & Richardson P.C., P.A.  
Suite 3300  
60 South Sixth Street  
Minneapolis, MN 55402

Date Mailed: 08/27/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).* 01/14/2002 AWONDAF1 00000137 061050 09897776
- Total additional claim fee(s) for this application is \$121.
 

■ \$81 for 9 total claims over 20.	01 FC:105	130.00 OP
	02 FC:102	84.00 OP
■ \$40 for 1 independent claims over 3 .	03 FC:103	162.00 OP
	04 FC:101	34.00 CH 706.00 OP
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 541.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

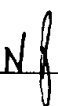
- 2
- This application must comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

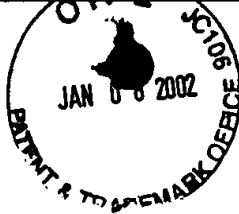
- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

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*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



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NOTIFICATION UNDER 37 CFR §1.28(b)

Applicant requests that the status of the above-referenced patent as a small entity be changed to a large entity. Due to an inadvertent error, an earlier notification was not made.

Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: November 21, 2001

Mark S. Ellinger  
Mark S. Ellinger, Ph.D.  
Reg. No. 34,812

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Signature

Caryl C. Harriman  
Typed or Printed Name of Person Signing Certificate